

RCRA INSPECTION REPORT

Elan Chemical Co.
268 Doremus Avenue
Newark, NJ 07105

Inspector: Abdool Jabar, USEPA, Environmental Engineer

Date of Inspection: 10/26/11

EPA Handler ID #: NJD042895680

Reason for Inspection: Compliance Evaluation Inspection

Attendees:

Abdool Jabar, USEPA

Ben Armenti, Vice President of Purchasing

Background:

Elan Incorporated is a privately owned business that is in business for over 30 years and produces natural and synthetic products for the flavor and fragrance industries. The company is made up of two major divisions-Elan Chemical Company and Elan Vanilla Co. Elan Chemical produces aromatic chemical intermediates for the flavor and fragrance industry. This accounts for 75 % of the chemical business, and the remaining 25 % serves the pharmaceutical and petrochemical field. Elan Vanilla Co. is a leading worldwide producer of vanilla products for top ice cream producers and bakeries.

The manufacturing of the fragrances and flavors is done in batches and a number of batches make up a campaign which may run for a few weeks. The facility operates on a 24 hour schedule, 7 days per week. Among company's customers are The Coca Cola Bottling Company, International Flavors and Fragrances and Givaudan.

From a review of the manifests for the past three years and discussion with the facility representative, it was determined that the facility is a Large Quantity Generator (LQG) and generates mostly solvents which are classified as D001 and F003 and which are shipped off as hazardous waste. The facility stores its hazardous waste in a hazardous waste tank which has a capacity of 10,000 gallons. The facility collects hazardous waste in 55 gallon drums and it then pumped into the hazardous waste tank. The facility stopped its treatment of hazardous waste water which was a part of a judicial order signed in 2008. The inspector held an opening conference with the facility representative and scope of the inspection was discussed. The facility representative was informed that the inspection was to determine compliance with the terms of the Judicial Order issued in 2008. NJDEP referred this matter to EPA after an inspection in August. After the opening conference, the inspector and facility representative proceeded on a site tour.

Inspection Summary

Site Tour

The first area visited was the process area where there are 19 reactors that are used in batch processes to make products. Hazardous waste is generated by some of these processes and is collected in 55 gallon drums and is pumped in the hazardous waste tank. At the time of the inspection, there was one fifty-five gallon container storing hazardous waste in a satellite accumulation area. The container had a funnel which was not properly closed. The drums from the process area are brought to the pump station and the contents are pumped into the hazardous waste tank. There are 1 pump and 4 valves associated to the pump station and 7 valves associated with the hazardous waste tank. The pump is connected to the hazardous waste tank by flexible hosing. The equipment subject to the Subpart BB regulations was identified by metal tags attached to each of the components.

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Research & Development Laboratory

The laboratory and the chemical storage areas were visited. The chemicals were stored according to compatibility and not alphabetically. The acids and bases were stored appropriately and had secondary containment. The oxidizers were separated and stored in a special cabinet.

Quality Control Laboratory

The Quality Control laboratory was visited. Some of the chemicals were not stored by compatibility. This situation was identified and brought to the attention of the laboratory manager who promised to go through his chemicals and store them properly. There were three satellite areas accumulating hazardous waste. The containers were closed and labeled "hazardous waste" and with other words to identify their contents (spent solvent). There were two fire extinguishers which were not inspected monthly since May.

Record Review

Subpart J and Subpart CC Inspections

The hazardous waste tank is inspected on a daily basis and is also inspected on a yearly basis for RCRA Subpart CC.

Subpart BB monitoring and inspection

The facility has one pump subject to Subpart BB and was inspected on a weekly basis. The monitoring for Subpart BB was not done for one quarter due to facility's misunderstanding of the requirements of a judicial order.

Violations

- (1) Failure to close a hazardous waste tank in a satellite accumulation area.
- (2) Failure to monitor one pump and 11 valves for one quarter.
- (3) Failure to inspect two fire extinguishers since May.

Enforcement

The air emissions violation was already addressed by a Notice of Violation from NJDEP. The other two violations were addressed by a Verbal NOV.

Prepared by:



12/28/10

Section Chief's Signature



2/21/12